

WASHINGTON, D. C. 20505

Prop. Leg.
Electronic
OLC RECORD COPY (Rosen)

Office of Legislative Counsel

OLC 2585 - 78
August 16, 1978

Honorable Charles Wilson
House of Representatives
Washington, D.C. 20515

Dear Charlie:

I was happy to talk to you today on the Electronic Surveillance Bill. Here are the materials which I promised you.

The principal issue is whether or not the Judiciary should be involved in foreign intelligence surveillance questions. We believe that it should under the closely circumscribed conditions which are provided for in the bill. The special courts in the bill, for instance, will not have the power to substitute their judgment for our own with respect to the need for a surveillance tap. We believe that the bill will settle law in this area in a much needed way. It will give FBI agents at the working level and international common carriers confidence that they won't be sued as a consequence of actions taken in the surveillance area.

After you have had a chance to review these materials, I will call back and get your views.

Keep on trucking with the gas bill.

Sincerely,



Frederick P. Hitz
Legislative Counsel

STAT

Enclosures

Distribution:

- Orig - Addressee w/encls.
- 1 - OLC subj w/encls. ✓
- 1 - OLC chron wo/encls

FPH/mkc 16 Aug 78